

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

DAVID LOMASCOLA and RON BURCH,

Plaintiffs,

vs.

No. 1:11-CV-01103-KBM-ACT


BNSF RAILWAY COMPANY, KERRY LEE MCKEAN
and VALERIE COOK,

Defendants.

ORDER OF DISMISSAL WITH PREJUDICE

THE COURT, having before it Plaintiffs and Defendants BNSF Railway Company and Kerry Lee McKean's Joint Motion to Dismiss with Prejudice, FINDS that the Motion is well taken.

IT IS THEREFORE ORDERED that Plaintiffs' Complaint is dismissed with prejudice against Defendants BNSF Railway Company and Kerry Lee McKean.


HONORABLE KAREN B. MOLZEN
Presiding by Consent

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